

## **IC 2-7-2**

### **Chapter 2. Registration Statements**

#### **IC 2-7-2-1 Version a**

##### **Filing requirement**

*Note: This version of section effective until 11-1-2013. See also following version of this section, effective 11-1-2013.*

Sec. 1. (a) Each lobbyist shall file annually with the commission a registration statement under oath accompanied by the registration fee required by this section.

(b) Except as provided in subsection (c), the registration fee is one hundred dollars (\$100).

(c) The registration fee of a lobbyist that satisfies either of the following is fifty dollars (\$50):

(1) The lobbyist is a nonprofit organization exempt from federal income taxation under Section 501(c)(3) or 501(c)(4) of the Internal Revenue Code.

(2) The lobbyist:

(A) is an employee of a lobbyist described in subdivision (1); and

(B) performs lobbying services for the employer as part of the lobbyist's salaried responsibilities.

*As added by Acts 1981, P.L.9, SEC.1. Amended by Acts 1982, P.L.9, SEC.1; P.L.3-1992, SEC.7; P.L.9-1993, SEC.8.*

#### **IC 2-7-2-1 Version b**

##### **Filing requirement; online registration**

*Note: This version of section effective 11-1-2013. See also preceding version of this section, effective until 11-1-2013.*

Sec. 1. (a) For each reporting year, each lobbyist shall file with the commission a registration statement under oath accompanied by the registration fee required by this section. Except as otherwise provided in section 1.5 of this chapter, a lobbyist shall use the commission's online system to file the lobbyist's registration statement electronically.

(b) Except as provided in subsection (c), the registration fee is two hundred dollars (\$200).

(c) The registration fee of a lobbyist that satisfies either of the following is one hundred dollars (\$100):

(1) The lobbyist is a nonprofit organization exempt from federal income taxation under Section 501(c)(3) or 501(c)(4) of the Internal Revenue Code.

(2) The lobbyist:

(A) is an employee of a lobbyist described in subdivision (1); and

(B) performs lobbying services for the employer as part of the lobbyist's salaried responsibilities.

*As added by Acts 1981, P.L.9, SEC.1. Amended by Acts 1982, P.L.9, SEC.1; P.L.3-1992, SEC.7; P.L.9-1993, SEC.8; P.L.165-2013, SEC.3.*

#### **IC 2-7-2-1.5**

##### **Online registration and report filing; request for exemption; additional filing fee for exemption; expiration of exemption; exemption void if additional fee not paid**

Sec. 1.5. (a) A lobbyist may submit a written request that the commission grant an exception to the electronic filing required in section 1 of this chapter and IC 2-7-3-1.

(b) A lobbyist must file a request for an exception under subsection (a) not later than sixty (60) days before the start of the reporting year for which the request is filed using the form prescribed by the commission.

(c) The commission may approve a request for an exception under subsection (a) if the commission finds that the electronic filing requirement poses a hardship for the lobbyist.

(d) If the commission grants an exception, the lobbyist must pay the commission an additional filing fee. The amount of the additional fee equals the amount that the lobbyist would have been required to pay the state's third party vendor to file registration statements and activity reports electronically for that reporting year.

(e) An exception granted under this section is valid only for the reporting year for which it is granted. An exception granted under this section is void if the additional fee is not paid in full within thirty (30) days after the exception is granted.

*As added by P.L.165-2013, SEC.4.*

#### **IC 2-7-2-2 Version a**

##### **Time of filing; expiration of registration; late filing; fees**

*Note: This version of section effective until 11-1-2013. See also following version of this section, effective 11-1-2013.*

Sec. 2. (a) Each registration statement shall be filed not later than January 15 or within fifteen (15) days after a person becomes a lobbyist, whichever is later. Each registration statement expires on December 31 of the year for which it was issued. The commission may accept registration statements before January 1 of the year to which they apply, as the commission determines.

(b) Subject to subsections (c) and (d), the commission shall impose a late registration fee of not more than one hundred dollars (\$100) per day for each day after the deadline until the statement is filed.

(c) The late registration fee shall not exceed four thousand five hundred dollars (\$4,500).

(d) The commission may waive the late registration fee if the commission determines that the circumstances make imposition of the fee inappropriate.

*As added by Acts 1981, P.L.9, SEC.1. Amended by P.L.3-1992, SEC.8; P.L.9-1993, SEC.9; P.L.58-2010, SEC.15.*

#### **IC 2-7-2-2 Version b**

##### **Time of filing; expiration of registration; late filing; fees**

*Note: This version of section effective 11-1-2013. See also*

*preceding version of this section, effective until 11-1-2013.*

Sec. 2. (a) The term of a registration statement is the same as the term of the reporting year for which the statement is filed. Each registration statement shall be filed not later than the first day of the reporting year, or within fifteen (15) business days after a person becomes a lobbyist, whichever is later. The commission may accept registration statements for a period of up to sixty (60) days before the first day of the reporting year to which they apply, as the commission determines.

(b) Subject to subsections (c) and (d), the commission shall impose a late registration fee of not more than one hundred dollars (\$100) per day for each day after the deadline until the statement is filed.

(c) The late registration fee shall not exceed four thousand five hundred dollars (\$4,500).

(d) The commission may waive all or part of the late registration fee if the commission determines that the circumstances make imposition of the fee inappropriate.

*As added by Acts 1981, P.L.9, SEC.1. Amended by P.L.3-1992, SEC.8; P.L.9-1993, SEC.9; P.L.58-2010, SEC.15; P.L.165-2013, SEC.5.*

#### **IC 2-7-2-3**

##### **Contents; lobbyists compensated for lobbying**

Sec. 3. The registration statement of each lobbyist who is compensated for lobbying shall include:

- (1) his name, social security number, residence address and telephone number, business address and telephone number, and the addresses and telephone numbers of any temporary living or business quarters he has in Marion County;
- (2) the name, business address, telephone number, and kind of business of each person (including the names of each officer or partner) who compensates him;
- (3) his primary occupation and the name or names of his employers if different than those specified in subdivision (2); and
- (4) the subject matter of his lobbying.

*As added by Acts 1981, P.L.9, SEC.1. Amended by Acts 1982, P.L.9, SEC.2; P.L.6-1987, SEC.1.*

#### **IC 2-7-2-4**

##### **Contents; statements of lobbyists compensating person for lobbying**

Sec. 4. The registration statement of each lobbyist who compensates a person for lobbying shall include:

- (1) his full name, business address and telephone number, kind of business, and the full name of the individual who controls the business, the partners, if any, and officers;
- (2) the full name, and business address and telephone number of each person compensated by him as a lobbyist;

(3) the subject matter for which he has employed or contracted with a lobbyist.

*As added by Acts 1981, P.L.9, SEC.1.*

#### **IC 2-7-2-5**

##### **Amendments; changes in information; notice of termination**

Sec. 5. If a material change occurs in any of the information contained in a registration statement, an appropriate amendment shall be filed within fifteen (15) days after the change. Each registered lobbyist may file a notice of termination within fifteen (15) days after he ceases the activity which required his registration; however, this does not relieve him of the reporting requirements of IC 2-7-3.

*As added by Acts 1981, P.L.9, SEC.1. Amended by Acts 1982, P.L.9, SEC.3.*

#### **IC 2-7-2-6**

##### **Exemptions; application of this chapter, article, and IC 2-7-3**

Sec. 6. (a) The provisions of this chapter and IC 2-7-3 are not applicable to any full-time or part-time public official acting in his official capacity or any full-time or part-time public employee in Indiana acting within the scope of his employment.

(b) The provisions of this chapter are not applicable to any newspaper or other periodical of general circulation, book publisher, news wire service, radio or television station (including any individual who owns, publishes, or is employed by any such newspaper or periodical, radio or television station) which in the ordinary course of business publishes news items, editorials, or other comments, or paid advertisement, which directly or indirectly urge legislative action if such newspaper, periodical, book publisher, radio or television station, or individual engages in no further or other activities in connection with urging legislative action other than to appear before a committee of the legislature in support of or in opposition to such action.

(c) The provisions of this chapter are not applicable to an individual invited, by any member of the general assembly, to testify before the general assembly or a legislative committee at the time the individual is testifying.

(d) The provisions of this chapter are not applicable to any officer or employee of the state central committee of a political party while acting within the scope of his employment.

(e) This chapter does not apply to a person whose lobbying services are performed without compensation.

(f) Notwithstanding the definition of "lobbying" as specified in IC 2-7-1-9, in no instance shall the language of this chapter be construed to prohibit in any way free and open communication between any citizen of this state and members of the general assembly.

(g) This article does not apply to:

- (1) an insurance policy;
- (2) a credit card agreement;

- (3) a recorded mortgage secured by real property; or
- (4) a written agreement with a financial institution (as defined in IC 28-1-1-3);

if the insurance policy, credit card, mortgage, or agreement was issued or made in the ordinary course of business.

(h) This article does not apply to compensation paid to the spouse of a legislator for goods or services provided by the spouse in the ordinary course of business to a lobbyist or a lobbyist's employer.

(i) The items to which this article does not apply under subsection (g) or (h) shall not be included in activity reports filed under IC 2-7-3-3.

*As added by Acts 1981, P.L.9, SEC.1. Amended by Acts 1982, P.L.9, SEC.4; P.L.3-1992, SEC.9; P.L.9-1993, SEC.10.*